IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.676 OF 2005

Shri.Kamlakar Murlidhar
Pimpalgaonkar ..Petitioner

Vs.

The State of Maharashtra
and Anr. ..Respondents.

...

Mr.Anil Dhavale Advocate for Petitioner

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 21 2005

P.C.

1. Heard the learned advocate for the petitioner.

2. The petitioner is seeking quashing of process issued by the learned Judicial Magistrate F.C.Court No.2, Pune in C.C.No.1829 of 2004. The said case is under Sections 323, 504, 506(II) and 511 of IPC.

3. For the reasons recorded in my order dated 8th June, 2005 in Cri.Application No. 645 of 2005 and

order dated 13th June, 2005 in W.P.No. 213 of 2005, in my view, it is clear that the petitioner has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioner prefers a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioner to prefer the necessary revision before the concerned Sessions Court.

5. On the necessary revision being preferred by the applicant before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties. Stay to the proceedings before the trial Court is granted for a period of two weeks from today.

6. Writ Petition is disposed of.

[V.K.TAHILRAMANI,J.]